

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IRENE RODRIGUEZ, individually §
and as parent and legal guardian of §
A.R. and B.R., §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 3:20-cv-00045-D
§
SOUTHERN HEALTH PARTNERS, INC. §
NAVARRO COUNTY; LINDA §
HULLETT, and DR. GRADY SHAW; §
§
Defendants. §

**DEFENDANTS SOUTHERN HEALTH PARTNERS, INC., LINDA
HULLETT, AND GRADY SHAW, M.D.'S FIRST AMENDED
DISCLOSURES**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Southern Health Partners, Inc., Linda Hullett, LVN, and Grady Shaw, M.D., Defendants, hereby serve their First Supplemental Disclosures.

I.

(a) The correct names of the parties to the lawsuit.

PLAINTIFFS:

1. Irene Rodriguez, Individually, and as parent and legal guardian of A.R.;
2. Maria Antonio Santos, as Representative of the Estate of B.R.

DEFENDANTS:

1. Southern Health Partners, Inc.;
2. Linda Hullett, LVN; and
3. Grady Shaw, M.D.

(b)

Pursuant to Rule 26(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendants list as follows the name, address and telephone number of each individual likely to have discoverable information that Defendants may use to support their claims and defenses in this case and, for each person, identification of the subject matter of the information:

Irene Rodriguez
A.R. (minor)
B.R., Deceased (minor)
Address and phone number unknown
May be contacted through counsel:
Law Offices of Don Tittle
6301 Gaston Avenue, Suite 440
Dallas, Texas 75214
214-522-8400

Plaintiffs in this lawsuit
Juanita Rodriguez
Address unknown
903-493-2594

Plaintiff/ Mother of A.R. & B.R., with anticipated knowledge of her pregnancy, medical condition, medical care, children, damages, arrest and incarceration/detainment.

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for Summary Judgment, and any current answer and affirmative defenses on file.

Maria Antonia Santos
Representative of Estate of B.R.
Address and phone number unknown
May be contacted through counsel:

*Law Offices of Don Tittle
6301 Gaston Avenue, Suite 440
Dallas, Texas 75214
214-522-8400*

Plaintiff in this lawsuit. Knowledge regarding damages incurred on behalf of Estate of B.R..

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for Summary

Linda Hullett, LVN
and/or Custodian of Records
Southern Health Partners, Inc.
2030 Hamilton Place Boulevard
Chattanooga, TN 37421
(888) 231-2888

May be contacted through counsel:

*Frank Alvarez
Wendy A. McMillon
Quintairos Prieto Wood & Boyer, PA
1700 Pacific Ave. Suite 4545
Dallas, Texas 75201
214-754-8755*

Defendant in this lawsuit and employee of Southern Health Partners, Inc. with anticipated knowledge of her contact, care and treatment of Plaintiff Irene Rodriguez, her contact with jail employees regarding Plaintiff, her work schedule, records kept for Irene Rodriguez's care, and defenses against claims.

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for

Summary.

Grady Shaw, M.D.
and/or Custodian of Records
1613 Glenbrook
Corsicana, Texas 75110
May be contacted through counsel:
Frank Alvarez
Wendy A. McMillon
Quintairos Prieto Wood & Boyer, PA
1700 Pacific Ave. Suite 4545
Dallas, Texas 75201
214-754-8755

Defendant in this lawsuit with anticipated knowledge of his contact, care and treatment of Plaintiff Irene Rodriguez, and defenses against claims.

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for Summary

Jennifer Hairsine, President & CEO
Krystal Mutter, RN, CCHP, Senior Vice Preisdent of Operations
Stephanie Self, RN, BSN, Vice President of Operations
May be contacted through counsel:
Frank Alvarez
Wendy A. McMillon
Quintairos Prieto Wood & Boyer, PA
1700 Pacific Ave. Suite 4545
Dallas, Texas 75201
214-754-8755

Corporate employees of Defendant with anticipated knowledge of policies and procedures at Southern Health Partners, Inc. and knowledgeable about events at issue in this case, as well as Defendants' claims and defenses herein.

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant

Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for Summary

Elizabeth Avery, LVN
Denise Clark
Evelyn Arbogast
and/or Custodian of Records
Southern Health Partners, Inc.
2030 Hamilton Place Boulevard
Chattanooga, TN 37421
(888) 231-2888

May be contacted through counsel:

Frank Alvarez
Wendy A. McMillon
Quintairos Prieto Wood & Boyer, PA
1700 Pacific Ave. Suite 4545
Dallas, Texas 75201
214-754-8755

Medical personnel at Navarro County Jail during Plaintiff's detainment who may have knowledge of Plaintiff's medical care and communications with Plaintiff or with jail staff regarding Plaintiff.

Defendants deny all allegations of Plaintiffs. Specifically, the Court has granted Defendant Southern Health Partners' Motion to Dismiss any and all §1983 claims against Defendant SHP. Further, the Plaintiffs have agreed to resolve their claims against Dr. Grady Shaw in this case. Defendants deny that with regard to the only remaining claims in this case, Defendants would deny that Linda Hulett violated the Plaintiffs' constitutional rights, that she was deliberately indifferent, or that any care and treatment provided by her was negligent or in violation of any applicable standard of care. Defendants incorporate by reference any and all Motions to Dismiss, Motions for Summary

Elmer Tanner, Sheriff
Sonia Rivera
C.M.
Betty Heggins
Robin Woodall
Betty Rivera

David Herrera
April Martin
and/or Custodian of Records
Navarro County Sheriff's Office and
Criminal Justice Center
312 W. 2nd Ave.
Corsicana, Texas 75110
May be contacted through counsel Flowers Davis, PC
1021 ESE Loop 323, Suite 200
Tyler, Texas 75702

Employees and staff of the Navarro County Jail who may have knowledge regarding the arrest, intake and detainment of Plaintiff, communications with Plaintiff and with other jail staff, policies or procedures of the jail, and their documentation.

Defendants also incorporate by reference herein any Answers, pleadings, and Motions to Dismiss filed by Navarro County while it was still a party to this case.

Dr. Michelle Spears
Dr. Charles W. Cook
and/or Custodian of Records
400 Hospital Drive #210
Corsicana, Texas 75110
(903) 641-4835

Plaintiff's health care providers with anticipated knowledge regarding her medical condition, the conditions of her children, and communications with Defendant(s) regarding appointments scheduled for Plaintiff Irene Rodriguez. Defendants incorporate by reference herein any and all deposition testimony and exhibits related to these witnesses which have been taken in this case.

Medical Providers and Custodians of Records
Navarro Regional Hospital
3201 West Highway 22
Corsicana, TX 75110
(903) 654-6800

Medical provider to Plaintiff and her children

Brenda Ross
Navarro County Adult Probation
800 North Main, Suite 301
Corsicana, Texas 75110
903-654-3065

Plaintiff's probation officer

Larry Ramon Lopez
Address, Phone number unknown

Father of A.R. and B.R. Knowledge of his criminal background and facts involved in charges against Irene Rodriguez.

Patrick Naylor
972-579-1600

Guardian Ad Litem appointed on behalf of A.R. Knowledge of current condition and health care provided to child.

Additional Medical Providers for Analeyah and/or Benjamin:

American Forensics
2452 US Hwy 80 E
Mesquite, TX 75149
(214) 221-2700

Benjamin's autopsy provider

Angels of Care Pediatric Home Health
8001 South US-75
Sherman, TX 75090
(903)532-1400

Pediatric home health provider

At Home Healthcare
9846 Hwy 31 East
Tyler, TX 75705
Pediatric home health provider

Baylor University Medical Center at Dallas
3500 Gaston Ave.
Dallas, TX 75246

Healthcare provider

BCM Innovative Therapies
3728 US-287
Corsicana, TX 75109
Healthcare provider

Children's Health Specialty Center
2350 N. Stemmons Freeway
Dallas, TX 75207

Healthcare provider

Children's Medical Center Dallas
1935 Medical Center Drive
Dallas, TX 75235

Healthcare provider

Corsicana Fire Rescue
200 N. 12th St.
Corsicana, TX 75110
EMS provider

Ennis Regional Medical Center
2201 W. Lampasas St.
Ennis, TX 75119

Healthcare provider

Neil Green, MD
400 Hospital Dr. Suite 210
Corsicana, TX 75110
Healthcare provider

Innovative Therapies
3728 US 287
Corsicana, TX 75109
Healthcare provider

Mayo Clinic
200 First Street SW
Rochester, MN 55905
Healthcare provider

Pediatric Home Healthcare
1341 W. Mockingbird Lane, Suite 900W
Dallas, TX 75247
Pediatric home health provider

Riverside Central Elementary
506 5th Avenue SE
Rochester, MN 55904
(507) 328-3700
Analeyah's school

Thomas Sawyerr, MD
3201 Corsicana Crossing Blvd.
Corsicana, TX 75109
Healthcare provider

These medical providers and/or custodians of record for the same have knowledge about the medical care provided to Plaintiff, school records, and/or billing records related to A.R. and B.R..

Defendants also reserve the right to call:

- a. Any fact or expert witness previously disclosed by either the Plaintiffs or Defendants;
- b. Any witness necessary for rebuttal or testimony; and
- c. Any necessary records custodians.

This list excludes Defendants' rebuttal witnesses who are not yet reasonably anticipated.

ADDITIONAL WITNESSES:

Any witness identified in Plaintiffs' or Defendants' written discovery answers, fact or expert witness disclosures exchanged in this case, or deposition testimony (to the extent not objected to by Defendants).

Any witness whose testimony is necessary for rebuttal purposes.

Defendants reserve the right to introduce deposition testimony or telephonic testimony, in lieu of live/videoconferenced testimony for witnesses who are unavailable to attend via live testimony or by videoconference, and reserve the right to introduce deposition testimony from Plaintiff and Plaintiff's agents as statements against interest.

Any records custodian or witness whose testimony is necessary to lay a foundation for or establish the authenticity of any exhibit or record offered by Defendants at trial, should it become necessary.

Any witness identified by Plaintiffs and any agent of Plaintiffs, to the extent not objected to by Defendants.

Any current or former employee of Defendants who has any knowledge about this case or about Irene Rodriguez, A.R., and/or B.R., including but not limited to any manager or consultant or

principal of Defendants or their organizations, or any witness with knowledge about Defendants or any claim or defense in this case.

Furthermore, Defendants reserve the right to amend and supplement this list of persons with knowledge of relevant facts at any time.

II.

Pursuant to Rule 26(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Defendants list as follows the categories of documents which they may use to support their claims and defenses in this case. Not all the records identified below are in Defendants' possession, custody or control:

- Navarro County jail records for Plaintiff;
- Any documents or forms Plaintiff provided to Navarro County jail;
- Medical records and billing records for Plaintiff;
- Medical records and billing records for Plaintiff's minor children;
- Third-party medical records for other providers seen by Plaintiffs, which are likely to require a medical release signed by Plaintiffs;
- Ambulance/EMT records for Plaintiffs;
- Records of any calls or dispatcher notes for emergency transport services;
- Personnel records and/or licensing records establishing the qualifications of staff and medical personnel who responded to or treated Plaintiffs, if they become relevant;
- Records indicating the time and dates staff were present at the jail, if they become relevant;
- Policies and procedures of the jail establishing Plaintiffs' claims are inaccurate, if they become relevant;

- Any applications of benefits submitted by Plaintiffs related to claims of disabilities or impairments;
- Any liens, insurance records, or Explanation of Benefits records indicating the medical expenses, medical providers, diagnoses, treatment dates, and/or liens for Plaintiffs.

In addition, Defendants incorporate by reference herein as if fully set forth at length, the following documents they have produced herein:

Medical Records of Irene Rodriguez 00001-00020
Insurance 00021-00024
Corsicana Police Department Dispatch Notes 00025-00027
Board of Nursing verification for Linda Hullett 00028

Produced 12/28/20

Docs Responsive 12-28-2020 BL 00029-00146

Produced on or about 10/28/21:

RODRIGUEZ - 00147-00151 - Baylor notice of no records for AR
RODRIGUEZ - 00152-00156 - Corsicana Fire Rescue report A.R.
RODRIGUEZ - 00157-00166 - Corsicana Fire Rescue reports B.R.
RODRIGUEZ - 00167-00172 - Corsicana Fire Rescue report Irene Rodriguez
RODRIGUEZ - 00173-00370 - Medical records from Olmsted Medical Center
RODRIGUEZ - 00371-00374 - Diagnostic Imaging Reports from Olmsted Medical Center
RODRIGUEZ - 00375-09890 - Medical records from Children's Health for A.R. flowsheets

Produced on or about 10/29/21:

RODRIGUEZ - 09891-24694 - Medical records from Children's Health for A.R.

Produced on or about 11/01/21:

RODRIGUEZ - 24695-24696 - ECGs from Children's Health for B.R.
RODRIGUEZ - 24697-51275 - Medical records from Children's Health for B.R. flowsheets

Produced on or about 11/03/21:

RODRIGUEZ - 51276-92439 - Medical records from Children's Health for B.R.
RODRIGUEZ - 92440-92441 - Affidavit for records of Children's Health
RODRIGUEZ - 92442-92689 - Medical records from CHS Med Assoc of Navarro Co. (Dr. Spears)
RODRIGUEZ - 92690-92701 - Notice of no records for AR from Dr. Cook
RODRIGUEZ - 92702-92712 - Notice of no records for BR from Dr. Cook
RODRIGUEZ - 92713-92717 - Certified Criminal Judgment and Order
RODRIGUEZ - 92718-92727 - Certified Criminal Arrest Orders

Produced on or about 11/24/21:

RODRIGUEZ - 92728-92735 - Billing Records from Navarro Regional Hospital for I.R.

Produced on or about 05/05/22:

Rodriguez - 92728-92743 - Appointment records for OB Dr Spears

Produced on or about 06/27/22:

RODRIGUEZ - 92744-92881 - Medical Records for Benjamin Rodriguez frm Navarro Regional Hospital

RODRIGUEZ - 92882-92917 - American Forensics Records for Benjamin Rodriguez

Produced on or about 07/14/22:

RODRIGUEZ - 92918 - Confidential Insurance Policy from Dr. Grady Shaw

RODRIGUEZ - 92919 - Confidential sample form flowsheet

Produced on or about 09/09/22:

RODRIGUEZ - 133210-133273 - Certified Dallas County Criminal Record for Larry Lopez

Produced on or about 10/14/22:

Rodriguez - 133274-133305 - Certified Navarro County Criminal Record for Larry Lopez

Produced on or about 11/08/22:

RODRIGUEZ - 133305-133314 - Addtl Certified Navarro County Criminal Records for Larry Ramon Lopez

Produced on or about 04/03/24:

Rodriguez - 133315 - 133359 - Shaw Policy

III.

Pursuant to Rule 26(a)(1)(A)(iii) of the Federal Rules of Civil Procedure, Defendants are not claiming damages at this time.

IV.

Pursuant to Rule 26(a)(1)(A)(iv) of the Federal Rules of Civil Procedure, Defendants have previously produced any and all insurance information which may be liable to satisfy all or part of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment. Defendants incorporate the same by reference herein as if fully set forth at length.

V.

Pursuant to Rule 26(2) of the Federal Rules of Civil Procedure, Defendants incorporate by reference as if fully set forth herein their Disclosures of Expert Testimony and any and all supplements thereto. Defendants also incorporate by reference as if fully set forth herein any and all depositions and exhibits of all of their testifying experts previously taken herein.

VI.

Defendants reserve the right to supplement these disclosures as further information and records become available.

Respectfully submitted,

QUINTAIROS, PRIETO, WOOD & BOYER, P.A.

By: /s/ Wendy A. McMillon

FRANK ALVAREZ

State Bar No. 00796122

frank.alvarez@qpwblaw.com

WENDY A. McMILLON

State Bar No. 00790100

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1700 Pacific Avenue, Suite 4545

Dallas, Texas 75201

(214) 754-8755

(214) 754-8744 (Fax)

**ATTORNEYS FOR DEFENDANTS
SOUTHERN HEALTH PARTNERS, INC.,
LINDA HULLETT, AND DR. SHAW**

CERTIFICATE OF SERVICE

The undersigned certifies that on the 17th day of May, 2024, a true and correct copy of the foregoing document was forwarded via electronic mail to the following counsel of record:

Don Tittle
Law Offices of Don Tittle
6301 Gaston Avenue, Suite 440
Dallas, Texas 75214
don@dontittlelaw.com
Counsel for Plaintiffs

/s/ Wendy A. McMillon
WENDY A. McMILLON